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A-4

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RECEIPT NO.

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Proposed Amendment to 5 U.S.C 7211

CLASSIFICATION

UNCLASSIFIED

PAGES

2

LIST NAME AND ADDRESS OF EACH RECIPIENT

EXTENSION

PRIORITY

X

May 16, 1988

PROPOSED AMENDMENT TO 5 U.S.C. 7211:

- (a) The right of employees, individually or collectively, to petition Congress or a Member of Congress, or to furnish information to either House of Congress, or to a committee or Member thereof, may not be interfered with or denied.
- (b) National security information which is specifically required by Executive Order to be kept secret in the interest of national defense or the conduct of foreign affairs may be disclosed consistent with subsection (a) of this section and subsection 2302 (b) of this title, provided that such a disclosure is in a secure manner according to the rules and procedures of the Congress, including S.Res. 400, Rule XLVIII of the House of Representatives, and any other such rules and procedures as may be adopted pursuant to this section. Compliance with such rules and procedures shall be required only when such national security information is specifically marked as classified, or unmarked but known by the employee to be classified or in the process of a classification determination.
- (c) Any policy, rule, regulation, order, contract, or agreement that is issued by an agency with respect to the disclosure of such national security information by employees shall be invalid and unenforceable, unless (1) its

restrictions are limited to national security information which is specifically marked as classified, or is unmarked but known by the employee to be classified or in the process of a classification determination, and (2) it specifically refers to this section and requires that a copy of this section will be made available to employees.

(d) The district court of the United States in the district in which the employee resides, where the violation occurred, or in the District of Columbia shall have jurisdiction in a civil action to issue injunctions, declaratory judgments, or any other appropriate relief with respect to any policy, rule, regulation, order, contract, agreement or other agency action which violates this section.

2